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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/055,712	04/07/1998	HYOUNG-JOO LEE	1317.1028/MD	4304

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EXAMINER

BUI, KIEU OANH T

ART UNIT PAPER NUMBER

2611

DATE MAILED: 01/28/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

20

# Office Action Summary

Application No.

09/055,712

Applicant(s)

LEE, HYOUNG-JOO

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 2, 18, 19 and 32 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-17, 20-31 and 33-35 is/are allowed.
- 6) ☒ Claim(s) 31, 34-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/02 has been entered.

***Allowable Subject Matter***

1. Claims 1, 3-17, 20-30, and 33 are allowed.

***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance:

The closest prior arts issued to Young, Hendricks and Jennings, Jr. fail to either alone or combine to teach a method of displaying a program progress time on a signal receiver which receives and processes program guide information containing a program schedule comprising at least the step of setting a command of the signal receiver which is commonly usable by a user as a display command to display time information about a currently viewed program, wherein the time information comprising a beginning time with respect to the currently viewed program, and *automatically displaying next program information when a remaining program time reaches a preset time* as cited in claims 1, 7, 12, 13, 17, 21, 26-30, and 33.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

4. Claims 31, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (U.S. Patent No. 5,727,060) in view of Hendricks et al. (U.S. Patent No. 5,734,853).

Regarding claims 34 and 35, Young et al (or "Young" hereinafter) disclose a method of outputting and displaying a program progress time on a signal receiver, i.e., on a graphical interface screen (Fig. 10/item 72) which receives and processes program guide information containing a program schedule (col. 1/lines 20-30), comprising the steps of:

receiving program guide information including a program schedule having the currently viewed program (Fig. 10/item 70 for the program guide information); and displaying the program progress time of the currently viewed program simultaneously with the currently viewed program in response to a command from a user to perform a function other than displaying the program progress time upon receipt of the command, the program progress time including a current time, i.e., the user can view the currently displaying program at the time with the progress time (Fig. 10 with the progress time bar indicating the running time of the program at the mark 72, and the display also shows a current time at that point (as shown "11:00 A" in Fig. 10 as the current time of the program).

storing the program guide information, i.e., to a schedule memory (Fig. 22A/item 232); displaying and outputting the time information about the currently viewed program together with the currently viewed program automatically when the user issues the display command set in said step (b), i.e., user uses a Select command for displaying the information (Fig. 10, and col. 8/line 66-col. 9/line 10), the time information comprising a beginning time with respect to the currently viewed program, i.e., as illustrated in Fig. 12 when a currently viewed program displaying on screen 74 with its information as "Judge 30 Min" as the beginning time related to that program; as well as "receiving program guide information containing a program schedule" as cited in claim 34 (Young, Figs. 6-7) and "the time information including a beginning time, a current time, and a terminating time of the currently viewed program" (Fig. 10/items 72 for running time including Start time or the beginning time and Finish time or terminating time and "11:00 A" on panel 62 for a current time).

Young does not clearly show the step of "displaying next program information when a remaining program time reaches a preset time" as amended; however, the technique of reserving a preset time or a time interval whenever the user watches an existing program reaching the preset time, e.g., a fifteen minutes ahead of a program, for displaying the next program information is taught by Hendricks as Hendricks shows in Figure 17 at the time 7:45PM, a next program information for the program "Terminator 4" is shown to viewer with the indication of next start time at 8:00 PM as the set top terminal automatically determining which channel will next to show the program with an internal clock (see Fig. 17, and col. 35/line 37 to col. 36/line 9). Therefore, it would have been obvious to modify Young's remaining time program progressing bar with Hendricks' teaching technique of displaying the next program information when a remaining (existing) program time reaches a preset time in order to obtain an enhanced technique in displaying a program progress time on a signal receiver including the step of

“displaying next program information when a remaining program time reaches a preset time” for the viewer to preview the next program information for the upcoming program as desired.

Regarding claim 31, Young discloses “a method of displaying a program progress time of a currently viewed program comprising: issuing a user-initiated display command; and displaying a program terminating time of the currently viewed program in response to the display command automatically at a preset time set by the user prior to a program terminating time of the currently viewed program”, i.e., the display time information such as the running time including the termination time are displayed on demand for the user (as in Figs. 6 & 10 and col. 8/lines 45-65) and the time left on the program prior to a program terminating time shown of the currently viewed program is further revealed (Fig. 13/item 90).

### ***Conclusion***

**4. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park 99, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

**5.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

Application/Control Number: 09/055,712  
Art Unit: 2611

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Krista Bui  
Art Unit 2611  
Dec. 17, 2002